

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 6125 OF 2005

IN

CRIMINAL APPEAL NO. 871 OF 2005

Mr. Tukaram Vasant Dhanva ...Applicant

Versus

The State of Maharashtra ...Respondent

■ ■ ■ ■ ■

Mr. Shivraj Patil h/f R.P. Patil,, Advocate for Applicant

Mr. B.H.Mehta, A.P.P. for State.

■ ■ ■ ■ ■

CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 3RD OCTOBER, 2005

P. C. :-

1. Heard both sides.
2. The applicant is seeking bail. The applicant has been convicted under Section 326 of I.P.C. The sentence imposed on the applicant is two years.
3. It is stated by the learned advocate for the applicant that the applicant was on bail pending the trial and this liberty has not been misused by him. This statement has not been controverted by the prosecution. It is further submitted by the learned advocate for the applicant that the maximum sentence

imposed on the applicant is two years and this appeal is not likely to be heard within the said time.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat** reported in (1999) 4 SCC 421, has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. On fine amount being paid, the applicant Tukaram Vasant Dhanva to be released on bail in the sum of Rs.20,000/- with one or two sureties to make the said amount. The applicant shall report on first and third Sunday of every month to Wada police station, during the pendency of this appeal.

6. Application is disposed of.
